



PATENT
Customer No. 22,852
Attorney Docket No. 08019.0001-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Ciaran BOLGER et al.) Group Art Unit: 3743
)
Serial No.: 09/988,629) Examiner: Fadi H. Dahbour
)
Filed: November 20, 2001)
) Confirmation No.: 8916
For: METHOD AND APPARATUS FOR)
MONITORING EYE TREMOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION AND/OR ELECTION REQUIREMENT

In a Restriction and/or Election Requirement dated March 12, 2004, the due date for response having been extended to June 12, 2004, by the petition for extension of time and fee submitted herewith, the Examiner required restriction under 35 U.S.C.

§ 121 to one of the following two groups of claims:

- I. Claims 1-40, 46, 48-56, 58, 61-62; and
- II. Claims 41-45, 47, 57, 59-60, 63.

Applicants provisionally elect to prosecute the claims in Group II (claims 41-45, 47, 57, 59-60, 63) without prejudice, but reserve the right to prosecute one or more claims directed to the nonelected subject matter of Group I should a patentable linking claim be introduced during the prosecution of this application.

Having hereby provisionally elected to prosecute the claims in Group II, the species election requirements in the Office Action, which are all directed only to claims in Group I, are moot.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 10, 2004

By: 

Frank A. De Costa, III
Reg. No. 41,705